

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 11, 2020

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APPLICATION OF

HEALTHTRUST PURCHASING GROUP, L.P.

CASE NO. PUR-2020-00079

Application for a license to conduct business
as an electricity and natural gas aggregator

ORDER FOR NOTICE AND COMMENT

On May 29, 2020, Healthtrust Purchasing Group, L.P. ("Healthtrust" or "Company"), filed an application with the State Corporation Commission ("Commission") for a license to act as aggregator of electricity and natural gas services ("Application").¹ Healthtrust seeks authority to provide electric and natural gas aggregation services to eligible commercial, industrial, and governmental customers² in the following service territories: Appalachian Power Company ("APCo"), City of Salem, Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion"), Rappahannock Electric Cooperative, Atmos Energy, Columbia Gas of Virginia ("Columbia Gas"), Roanoke Gas Company, and Washington Gas Light Company ("Washington Gas").³ In its Application, Healthtrust attested that it would abide by all

¹ Healthtrust filed its Application on May 4, 2020, but the Commission's Staff ("Staff") deemed the Application incomplete as filed. The Company provided supplemental information on May 29, 2020, completing its Application.

² In its Application, the Company indicated that it wished to provide services to a customer class that it identified as "educational." For licensure purposes, publicly owned educational facilities are classified as governmental, and privately held educational facilities would be in a customer class other than governmental depending on the size of the customer.

³ Retail choice for natural gas service presently exists only in the service territories of Washington Gas and Columbia Gas. Access to large commercial and industrial gas customers in all gas distribution service territories has existed under Federal Energy Regulatory Commission authority since the mid-1980s. Retail choice for electricity exists only in the service territories of Dominion, APCo, and the electric cooperatives. Moreover, retail choice for electricity is only permitted pursuant to the customer classes, load parameter, and renewable energy sources as set forth in the Code of Virginia ("Code").

applicable regulations of the Commission as required by 20 VAC 5-312-40 B of the Commission's Rules Governing Retail Access to Competitive Energy Services.⁴

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket Healthtrust's Application; Healthtrust should serve this Order upon the appropriate persons; Staff should conduct an investigation of the Application and present its findings in a report ("Staff Report"); and interested persons should have an opportunity to comment on the Application. We further find that a Hearing Examiner should be appointed to rule on all discovery matters that arise during the course of this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2020-00079.
- (2) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"),⁵ a Hearing Examiner is appointed to rule on any discovery issues that may arise during the course of this proceeding.
- (3) A copy of the Application may be viewed or downloaded from the Commission's website: <https://scc.virginia.gov/pages/Case-Information>.
- (4) On or before June 19, 2020, Healthtrust shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.⁶

⁴ 20 VAC 5-312-10 *et seq.*

⁵ 5 VAC 5-20-10 *et seq.*

⁶ See *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency*. Case No. CLK-2020-00007, Doc. Con. Cen. No. 200410009, Order Requiring Electronic Service (Apr. 1, 2020).

(5) In accordance with the Commission's revised operating procedures during the COVID-19 emergency, all comments, pleadings, and documents shall be submitted electronically to the Clerk of the Commission to the extent authorized by the Commission's Rules of Practice.⁷

(6) On or before June 26, 2020, the Company shall file proof of service as ordered herein with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, or by filing electronically at <https://scc.virginia.gov/clk/efiling/>.

(7) Any interested person may request a public copy of the Application, accompanying materials, and this Order by directing a request in writing to Dave McMillan, Director, Energy, Healthtrust Purchasing Group, L.P., 1100 Dr. Martin L. King Jr. Boulevard, Suite 1100, Nashville, Tennessee 37203, dave.mcmillan@healthtrustpg.com. Where possible, the interested person's request shall include an electronic mail address to which the Company may send the requested documents. The Company shall, within three (3) days of receipt of such request, serve the requested documents upon the person making such request.

(8) Comments on the Application may be filed on or before June 30, 2020, with the Clerk of the Commission at: <https://scc.virginia.gov/casecomments/Submit-Public-Comments> or at the mailing address in Ordering Paragraph (6). A copy of such comments, whether submitted

⁷ See *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, Doc. Con. Cen. No. 200330042, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020) (noting that all pleadings should be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150 of the Rules of Practice. Those seeking to hand deliver and physically file or submit a pleading or document to be filed in a case pending before the Commission must contact the Commission's Clerk's Office at (804) 371-9838 to arrange the delivery. Further, submissions to the Commission's Clerk's Office via U.S. mail or commercial mail equivalents may not be processed for an indefinite period of time due to the COVID-19 emergency.), *extended by* Doc. Con. Cen. No. 200520105, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020).

in writing or electronically, shall be served upon the Company at the email address set forth in Ordering Paragraph (7). Such comments simultaneously shall be sent electronically, to Richard Michaux, Senior Utility Accountant, State Corporation Commission, at Richard.Michaux@scc.virginia.gov. All comments shall refer to Case No. PUR-2020-00079.

(9) The Staff shall analyze Healthtrust's Application and shall present its findings in a Staff Report to be filed on or before July 10, 2020.

(10) On or before July 17, 2020, the Company and any party who filed comments on the Application may file with the Clerk of the Commission at, <https://scc.virginia.gov/clk/efiling/>, any response to the Staff Report. If not filed electronically, an original and fifteen (15) copies of the response shall be filed with the Clerk of the Commission at the address in Ordering Paragraph (6).

(11) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via electronic mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice.

(12) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to:
 Dave McMillan, Director, Energy, Healthtrust Purchasing Group, L.P., 1100 Dr. Martin L. King Jr. Boulevard, Suite 1100, Nashville, Tennessee 37203, dave.mcmillan@healthtrustpg.com;
 C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219-3424, MBrowder@oag.state.va.us.

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